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2  
3 BILL NO. G-75-03-18

4 GENERAL ORDINANCE NO. G- 08-75.

5 AN ORDINANCE amending General Ordinance No.  
6 G-97 by authorizing the vacation of a portion  
7 of Dell Avenue

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
9 WAYNE, INDIANA:

10 SECTION 1. Petition for the vacation of a portion of Dell Avenue having  
11 been filed with the Fort Wayne City Plan Commission on February 24, 1975 following  
12 a public hearing thereon, all in accordance with Section 44, Chapter 174, of the  
13 Acts of the General Assembly of the State of Indiana, as amended by Section 3,  
14 Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana  
(Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set  
forth in General Ordinance No. G-97 adopted by the Common Council of the City of  
Fort Wayne on November 26, 1963, is amended by deleting the following portion of  
Dell Avenue, Fort Wayne, Allen County, Indiana, to-wit:

15 Dell Avenue, located between Lots # 4 and # 5 Schomburg  
16 Dells Addition, extending south from the south right-of-way  
of North Schomburg Drive, 140 feet to its terminus

17 SECTION 2. After passage of this Ordinance, approval by the Mayor  
18 and legal publication, a duly certified copy of this Ordinance, of the recommenda-  
19 tion of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall  
20 be transmitted by the City Clerk to the Board of Public Works of the City of Fort  
Wayne, Indiana.

21 SECTION 3. This Ordinance shall be in full force and effect from and  
22 after its passage, approval by the Mayor and legal publication thereof.

23 Eugene Krawchuk

24 Councilman

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APPROVED AS TO FORM  
AND LEGALITY

Karl S. Allen  
CITY ATTORNEY

Read the first time in full and on motion by Kraus, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.,

Date: 3/11/75

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Kraus, seconded by Talarico, and duly adopted, placed on its passage.  
Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
KRAUS	<u>✓</u>				
MOSES	<u>✓</u>				
NUCKOLS	<u>✓</u>				
SCHMIDT, D.	<u>✓</u>				
SCHMIDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 2-25-75

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution, No. D-0875 on the 25th day of March, 1975:

ATTEST:

(SEAL)

Charles W. Westerman  
CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P. M., E.S.T.

Paul Stier  
MAYOR

Bill No. G-75-03-18

REPORT OF THE COMMITTEE ON REGULATIONS  
Regulations

We, your Committee on \_\_\_\_\_ to whom was referred an Ordinance  
amending General Ordinance No. G-97 by authorizing the vacation of  
a portion of Dell Avenue

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

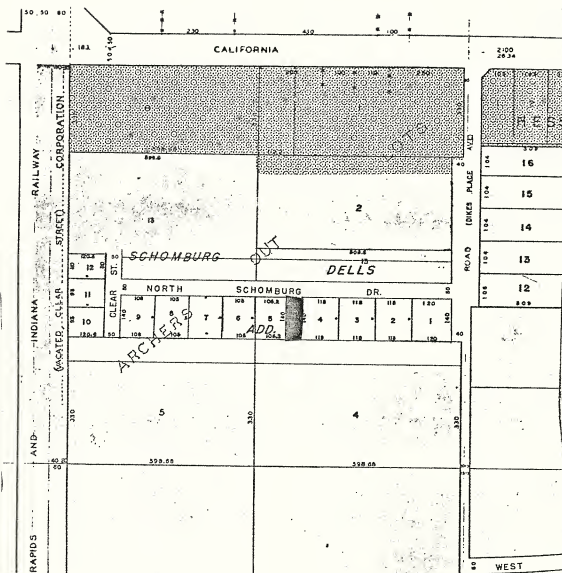
Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

MADE A MATTER OF RECORD

DATE 3-25-75 CHARLES W. WESTERMAN, CITY CLERK



TO BE VACATED



## COMMUNITY DEVELOPMENT AND PLANNING

February 28, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Dell Avenue, located between Lots # 4 and # 5 Schomburg  
Dells Addition, extending south from the south right-of-way  
of North Schomburg Drive, 140 feet to its terminus.

which was approved by the City Plan Commission at its regular meeting  
held February 24, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
28th day of February, 1975.

Charles N. Hall  
Secretary



R E S O L U T I O N

WHEREAS, Charles M. Henry, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

Dell Avenue, located between Lots # 4 and # 5 of Schomburg  
Dells Addition, extending south from the south right-of-way  
of North Schomburg Drive, 140 feet to its terminus.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, February 24, 1975, at 7:30 P.M. (EST), and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street or alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

PETITION TO VACATE DELL AVENUE

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA  
  
THE BOARD OF PUBLIC WORKS  
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioner, does hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described street within the City of Fort Wayne, Allen County, Indiana, to-wit:

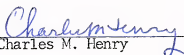
Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

Your petitioner represents that:

1. That he is the owner of the real estate abutting on both sides of the street herein sought to be vacated.
2. That no other person, firm or corporation is interested in or affected by the requested vacation.
3. That the street sought to be vacated has never been opened or improved.
4. That said street is not necessary as ingress or egress to any other property whatsoever.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioner files this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

  
Charles M. Henry

TITLE OF ORDINANCE Street Vacation Ordinance

2-75-03-18

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the  
following described street:

Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition,  
te extending south from the south right-of-way of North Schomburg Drive,  
140 feet to is terminus.

EFFECT OF PASSAGE Street is presently inopened and unimproved. When  
vacated, this street will be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Street would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Legislation J.N.





CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

March 27, 1975

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of March 31 and April 7, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. G-75-03-16  
General Ordinance No. G-06-75

Bill No. G-75-03-17  
General Ordinance No. G-07-75

Bill No. G-75-03-18  
General Ordinance No. G-08-75

Bill No. G-75-03-19  
General Ordinance No. G-09-75

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CW/ne  
Encl: 4

Common Council of Fort Wayne  
(Governmental Unit)

To... NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	<u>1</u>
Body	number of lines	<u>92</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>95</u>

## COMPUTATION OF CHARGES

95 lines, 1 columns wide equals 95 equivalent lines at .288¢  
cents per line \$27.36

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Extra proofs of publication (50 cents for each proof in excess of two) = 1.50  
TOTAL AMOUNT OF CLAIM \$28.86

## COST

Single column 11 ems Size of type 5½ point  
Insertions 2 Size of quad upon which type is cast 5½

and penalties of Ch. 36, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowance for the same has been paid.

V.E. Gerken

19 75

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V.E. Gerken, who, being duly sworn, says that, S he is Clerk

NEWS-SENTINEL

DAILY

COPY OF  
SENT HERE

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

3/31 &amp; 4/7/75

Subscribed and sworn to before me this 7th day of April 19 75

Notary Public

My commission expires... October 25, 1975

Notice is hereby given that on the 25th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-75-03-18, G-08-75 General Ordinance, to-wit:

BILL NO. G-75-03-18  
General Ordinance No. G-08-75  
An ordinance amending General Ordinance No. G-97 by authorizing the vacation of a portion of Dell Avenue

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a portion of Dell Avenue having been filed with the Fort Wayne City Plan Commission on February 24, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of the General Assembly of the State of Indiana (Burns Ind. Stat. 1974 Replacement, Sec. 53-744), the Thorndyke Plan as set forth in Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 24, 1963, is amended by deleting the following portion of Dell Avenue, Fort Wayne, Allen County, Indiana, to-wit: Dell Avenue, located between Lots 44 and 45 Schomburg Drive, Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, at the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUS, Councilman

Read the third time in full and on motion by Kraus, seconded by Talarico, and duly adopted, placed on its passage.

PASSED by the following vote:

Ayes: Nine—Burns, Hinga, Moses, Nuckolski, D. Schmidt, V. Schmidt, Star, Talarico

Nays: None  
Date: 3-25-75

CHARLES W. WESTERMAN, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-08-75 on the 25th day of March, 1975.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk  
James S. Siler, Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of March, 1975, at the hour of 10:00 o'clock A.M., E.S.

CHARLES W. Westerman, City Clerk

Approved and signed by me this 25th day of March, 1975, at the hour of 2:00 o'clock P.M., E.S.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above Ordinance is a full, true and complete copy of General Ordinance No. G-08-75 passed by the Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and presented to the Mayor on the 25th day of March, 1975, and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of March, 1975.

CHARLES W. WESTERMAN, City Clerk

SEAL 3-31: 4-7

Common Council of Fort Wayne  
(Governmental Unit)To NEWS-SENTINEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1

Body number of lines

92

Tail number of lines

2

Total number of lines in notice

95

## COMPUTATION OF CHARGES

95 lines, 1 columns wide equals 95 equivalent lines at 288¢ cents per line\$ 27.36

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

28.86

## DATA FOR COMPUTING COST

Width of single column 11 emsSize of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 59 Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing for past credits, and that no part of the same has been paid.

Date April 7, 19 75Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN CountyPersonally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, saysthat She is Clerk of theNEWS-SENTINELDAILYa newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being

3/31 & 4/7/75Subscribed and sworn to before me this 7th day of April, 19 75

Notary Public

My commission expires October 25, 1975COPY OF  
SENT HERE

SDAY ONLY

and now remains on file and is available for inspection in my office.  
Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.  
CHARLES W. WESTERMAN,  
City ClerkSEAL  
3-31; 4-7

FORM 99-P

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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\$ 27.36

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

## TOTAL AMOUNT OF CLAIM

\$ 28.86

## G COST

Single column 11 ems

Size of type 5½ point

Insertions 2

Size of quad upon which type is cast 5½

on and penalties of Ch. 89, Acts 1967,

If foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla Dewald

CLERK

Title

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

3/31 &amp; 4/7/75

Subscribed and sworn to before me this 7th day of April 1975

Notary Public

My commission expires October 25, 1975

Legal Notices  
Notice is hereby given that on the 25th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-75-03-18, G-08-75 General Ordinance, to-wit:

BILL NO. G-75-03-18  
General Ordinance No. G-08-75  
An ordinance amending General Ordinance No. G-67 by authorizing the vacation of a portion of Dell Avenue.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana: SECTION 1. Petition for the vacation of a portion of Dell Avenue having been filed with the Fort Wayne City Plan Commission on February 24, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1961 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 57-740), the Thoroughfare Plan as set forth in Ordinance No. G-67 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, as amended by deleting the following portion of Dell Avenue, Fort Wayne, Allen County, Indiana, to-wit:

Dell Avenue, located between Lots 44 and 45 Schomberg Delis Addition, extending south from the south right-of-way of North Schomberg Drive, 140 feet to its terminus.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUS

Councilman  
Read the third time in full and on motion by Kraus, seconded by Talerico, and duly adopted, PASSED by its passage.

PASSED by the following vote:

Ayes: Nine—Burns, Ringa, Moses, Nuckols, D. Schmidt, V. Schmidt, Slier,

Talerico

Nays: None

Date: 3/31/75

CHARLES W. WESTERMAN, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-08-75 on the 25th day of March, 1975.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk

James S. Slier, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at no hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. Westerman City Clerk

Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P.M., E.S.T.

I, IVAN A. LEBAMOFF, Mayor

1, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-08-75 passed by the Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of March, 1975, and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.

CHARLES W. WESTERMAN, City Clerk

SEAL

3-31; 4-7

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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Head number of lines \_\_\_\_\_ 1

Body number of lines \_\_\_\_\_ 92

Tail number of lines \_\_\_\_\_ 2

Total number of lines in notice \_\_\_\_\_ 95

## COMPUTATION OF CHARGES

95 lines, 1 columns wide equals 95 equivalent lines at .288¢ \_\_\_\_\_  
cents per line \$ 27.36

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) \_\_\_\_\_ 1.50

TOTAL AMOUNT OF CLAIM = \$ 28.86

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 7, 1975

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

3/31 &amp; 4/7/75

Subscribed and sworn to before me this 7th day of April 1975

Notary Public

My commission expires October 25, 1975

COPY OF  
ENT HERE

OFF FORT WAYNE

MINIMUM \$5.00  
Major on the 26th day of March, 1975, and now remains on file and on record in my office.  
Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.  
CHARLES W. WESTERMAN,  
City Clerk